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10/754,797

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	NOT YET ASSIGNED
		Filing Date	JANUARY 9, 2004
		First Named Inventor	DUKE, ET AL.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	WETCO-001A

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition MAKE SPECIAL	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration of Duke; Certificate of Mailing; Return Receipt Postcard.
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MATTHEW A. NEWBOLES STETINA BRUNDA GARRED & BRUCKER
Signature	
Date	2/4/04

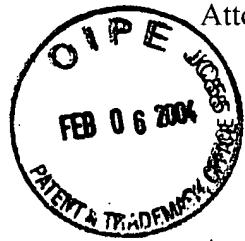
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Date	2-4-04

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Application No.: NOT YET ASSIGNED
Petition to Make Special
Attorney Docket: WETCO-001A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION TO MAKE SPECIAL

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.102 and MPEP § 708.02, Applicants hereby petition to accord the present application special status insofar as the same is directed to an invention which materially enhances the quality of the environment of mankind. Specifically, the present invention is directed to methods for controlling silica or silicate scale formation in aqueous water systems and thus contributes to the restoration or maintenance of a basic life-sustaining natural element, namely, water. In this regard, the methods of the present invention are directed at eliminating undesirable practices of controlling scale through the use of scale inhibitors that are either toxic or suboptimal in their effectiveness. Moreover, the methods of the present invention are operative to substantially minimize laborious silica removal practices, as well as prolong the life of equipment effected by silica formation, such as equipment utilized in cooling, water processes or cooling tower system, among numerous others.

In support of this petition to make special is the declaration of Dan A. Duke, which explains how the invention of the present application contributes to the restoration and maintenance of aqueous systems that are prone to scale formation and silicate fouling



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problems. Insofar as the present petition seeks to make the present application special based upon environmental quality, it is believed that no fee is required for such petition pursuant to 37 C.F.R. 1.102(c).

To the extent there are any questions or further information is required regarding this petition, please direct all such inquiries to Applicant's counsel. Also if any fees are required, please charge to our Deposit Account Number 19-4330.

Respectfully submitted,

Date: 2/4/04

Customer No.: 007663

By: 
Matthew A. Newboles
Registration No. 36,224
STETINA BRUNDA GARRED & BRUCKER
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Aliso Viejo, California 92656
Telephone: (949) 855-1246

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Application No.: NOT YET ASSIGNED

Petition to Make Special

Attorney Docket: WETCO-001A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	DAN DUKE, ET AL.) Confirmation No.
)
Serial No.:	NOT YET ASSIGNED) Art Unit:
)
Filed:	JANUARY 9, 2004) Examiner:
)
For:	COOLING WATER SCALE AND)
	CORROSION INHIBITION)

DECLARATION OF DAN A. DUKE UNDER 37 C.F.R. 1.102

IN SUPPORT OF APPLICANT'S PETITION TO MAKE SPECIAL

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Dan A. Duke, hereby declare as follows:

1. I am a co-inventor of the invention that is the subject of the above-referenced patent application. I have personal knowledge of the following facts and if necessary, I could and would competently testify in relation thereto.
2. The present invention is directed to methods for inhibiting silica scale formation and corrosion in aqueous systems. As is well-known, silica is one of the major scale and fouling problems in many processes using water, the most notable being cooling water processes and the like. In this regard, silica that is naturally present in such aqueous systems can

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accumulate and adversely effect equipment and the various industrial processes used in connection therewith.

3. Prior art methods utilized to control silica formation have typically been suboptimal in effectiveness or have otherwise relied upon significant water wastage and addition of scale control agents. In this regard, most scale control methods typically rely on the addition of a scale inhibitor in combination with control wastage of system water that have been shown to be ineffective, expensive, and introduce associated toxic elements of the water treatment method into the environment through aqueous system discharge. The methods of the present invention eliminate such practices.

4. The present invention is also directed to methods for inhibiting corrosion of metallic substances in an aqueous system that likewise are more effective, safe and efficient than prior art practices. In this regard, the most effective prior art methods rely upon the use of heavy metals and phosphates, which have since been restricted due to their well-documented toxicity and harm to the environment. Such prior art methods further involve extensive modifications in pH that can likewise adversely effect the chemistry and toxicity associated with aqueous system water. The present invention, in contrast, does not rely upon such practices.

5. In this respect, the present invention substantially eliminates environmental hazards associated with the prior art in an extremely cost effective and safe manner by utilizing a simple process that essentially comprises removing hardness ions from the source water contributing to the aqueous system, controlling the conductivity of the aqueous system water, and elevating and maintaining the pH of the aqueous system water to approximately 9.0 or greater. Such process substantially eliminates the extensive use of toxic chemical additives and significant water wastage deployed to control silica scale formation and corrosion in aqueous systems, and the environmental impact caused thereby. In this regard, I have over twenty years experience in the water treatment industry and, to the best of my knowledge, there has not heretofore been any type of method that has been as effective as those of the present invention in contributing to the restoration and maintenance of silica levels present in aqueous systems used in a variety of industrial applications.

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6. I further declare that all statements made here of my own knowledge are true and that all statements made upon information and belief are believed to be true and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and as such, willful false statements may jeopardize the validity of this application or any patent issuing thereon.

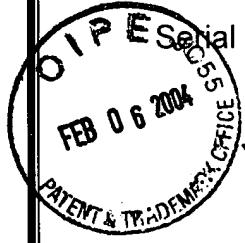
Respectfully submitted,

Date: Feb 2, 2004

By: Dan A Duke
Dan A. Duke

T:\Client Documents\WETCO\001A\Duke Declaration re Pt. Make Special.doc

ATTORNEY DOCKET NO: WETCO-001A
TITLE: COOLING WATER SCALE & CORROSION INHIBITION



Serial Number: Not Yet Assigned Filed: January 9, 2004

Certificate of Mailing under 37 CFR 1.8 or 37 CFR 1.10

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on February 4, 2004

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(Signature)

LINDA JOHNSON

(Typed name of person signing certificate)

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